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09/836,757	04/17/2001	Steve Krasnick	MEC-10002/22	7362

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EXAMINER

JARRETT, SCOTT L

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/836,757

Applicant(s)

KRASNICK ET AL.

Examiner

Scott L. Jarrett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite and failing to point out and distinctly claim the subject matter which the applicant regards as the invention.

Regarding Claims 1 and 12, the disclosure does not clearly define the phrase "system." A system as claimed could contain a plurality of elements and without further definition of the system elements the phrase as claimed is vague and indefinite.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

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For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example) and therefore are found to be non-statutory subject matter. For a process claim to pass muster, the recited process must somehow apply, involve, use, or advance the technological arts.

Additionally, for a claimed invention to be statutory, the claimed invention must produce a useful, concrete, and tangible result.

Regarding Claims 1-11, Claims 1-11 only recite an abstract idea. The recited system for providing meeting planning services via a communication network does not apply, involve, or use the technological arts since all of the recited steps can be performed in the mind of the user or by use of a pencil and paper. The claimed invention, as a whole, is not within the technological art as explained above claims 1-11 are deemed to be directed to non-statutory subject matter.

As to technological arts recited in the preamble, mere recitation in the preamble (i.e., intended or field of use) or mere implication of employing a machine or article of manufacture to perform some or all of the recited steps does not confer statutory subject matter to an otherwise abstract idea unless there is positive recitation in the claim as a whole to breathe life and meaning into the preamble. In the present case, none of the recited steps are directed to anything in the technological arts as explained

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above. Looking at the claims as a whole, nothing in the body of the claims recites any structure or functionality to suggest that a computer performs the recited steps.

Mere intended or nominal use of a component, albeit within the technological arts, does not confer statutory subject matter to an otherwise abstract idea if the component does not apply, involve, use, or advance the underlying process. In the present case, none of the recited steps are directed to anything in the technological arts as explained above with the exception of the recitation of the term "database" in Claim 1. Therefore, the term discussed is taken to merely recite a field of use and/or nominal recitation of technology.

Regarding Claims 12-13, Claims 12-13 only recite an abstract idea. The recited system for providing meeting planning via the Internet does not apply, involve, or use the technological arts since all of the recited steps can be performed in the mind of the user or by use of a pencil and paper. The claimed invention, as a whole, is not within the technological art as explained above claims 12-13 are deemed to be directed to non-statutory subject matter.

As to technological arts recited in the preamble, mere recitation in the preamble (i.e., intended or field of use) or mere implication of employing a machine or article of manufacture to perform some or all of the recited steps does not confer statutory subject matter to an otherwise abstract idea unless there is positive recitation in the claim as a whole to breathe life and meaning into the preamble. In the present case, none of the recited steps are directed to anything in the technological arts as explained

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above. Looking at the claims as a whole, nothing in the body of the claims recites any structure or functionality to suggest that a computer performs the recited steps.

Mere intended or nominal use of a component, albeit within the technological arts, does not confer statutory subject matter to an otherwise abstract idea if the component does not apply, involve, use, or advance the underlying process. In the present case, none of the recited steps are directed to anything in the technological arts as explained above with the exception of the recitation of the terms “database” “application server” and “web server” in Claim 12. Therefore, the terms discussed are taken to merely recite a field of use and/or nominal recitation of technology.

Regarding Claims 14-20, Claims 14-20 only recite an abstract idea. The recited method for providing meeting planning and management services via a communications network does not apply, involve, or use the technological arts since all of the recited steps can be performed in the mind of the user or by use of a pencil and paper. The claimed invention, as a whole, is not within the technological art as explained above claims 12-13 are deemed to be directed to non-statutory subject matter.

As to technological arts recited in the preamble, mere recitation in the preamble (i.e., intended or field of use) or mere implication of employing a machine or article of manufacture to perform some or all of the recited steps does not confer statutory subject matter to an otherwise abstract idea unless there is positive recitation in the claim as a whole to breathe life and meaning into the preamble. In the present case, none of the recited steps are directed to anything in the technological arts as explained

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above. Looking at the claims as a whole, nothing in the body of the claims recites any structure or functionality to suggest that a computer performs the recited steps.

Correction required. See MPEP § 2106 [R-2].

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Event411.com (1999) aspects of are discussed in the following references:

I. Event411.com (1999) – Home, Who We Are, What We Do, Letter From the CEO and Our Newsroom web pages hereinafter referred to as reference A;

II. DNCC Names Event411.com the Official Online Event-Planning Provider of the 2000 Democratic Convention in Los Angeles (February, 2000) herein after referred to as reference B; and

III. Event411.com and EventSource.com Partner to Streamline and Manage Corporate Meeting Planning (April, 2000) herein after referred to as reference C.

Regarding Claim 1 Event4.11.com teaches an online meeting (event, conference, tradeshow, life event, convention, seminars, classes, etc.) planning and management system and method for providing meeting planning services via a communications network (Internet) comprising (see reference A: pages 1, 2, 5, and 8-

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10; see reference B: Paragraphs 4-7; Page 2; Paragraph 1, Page 3; see reference C: Pages 1-3):

- a client interface for mediating (facilitating) communications between the client and the system;
- a meeting planning module (system, application, sub-system, etc..) for collecting and analyzing data related to a meeting (see reference A: Pages 1, 5 and 7-10; see reference B: Paragraphs 4-7; Page 2;
- a database for storing the collected data (data center; see reference B: Paragraph 6; Page 2).

Regarding Claim 2 Event4.11.com teaches that the online event planning system further comprises one or more servers (Application Service Provider (ASP), custom web sites, web hosting; see reference A: Pages 2 and 6-7; data center; see reference B: Paragraph 1-7, Page 2; see reference C: Page 2).

Regarding Claim 3 Event4.11.com teaches an online event planning and management system wherein the communications network is the Internet (see reference A: Page 1; see reference B: Paragraphs 4-7; Page 2).

Regarding Claim 4 Event4.11.com teaches an online event planning and management system further comprising a research module (software, system, sub-system, process, etc.; event search, local services, vendor selection and management,

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etc.) for generation of industry and meeting information related to meeting planning (see reference A: Pages 8-10 and 16-18; see reference B: Paragraphs 4-7, Page 2; see reference C: Paragraph 7, Page 2).

Regarding Claim 5 Event4.11.com teaches an online event planning and management system further comprising a reporting module (reporting, data center, monitor RSVP, status, etc.) for report generation related to the prospective meeting (see reference B: Paragraphs 4-6, Page 2; see reference C: Paragraph 2, Page 1; Paragraph 2, Page 2).

Regarding Claim 6 Event4.11.com teaches an online event planning and management system further comprising an event module for managing events related to the prospective meeting (see reference A: pages 1, 2, 5, and 8-10; see reference B: Paragraphs 4-7; Page 2; Paragraph 1, Page 3; see reference C: Pages 1-3).

Regarding Claim 7 Event4.11.com teaches an online event planning and management system further comprising an attendee (participant) module for managing logistics (travel, hotel, air, etc.) related to one or more meeting attendees (see reference A: pages 1, 2, 5, and 8-10; see reference B: Paragraphs 4-7; Page 2; Paragraph 1, Page 3; see reference C: Pages 1-3).

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Regarding Claim 8 Event4.11.com teaches an online event planning and management system further comprising a marketplace (ecommerce, portal, shop, etc.) module to manage interactions (communications, transactions, etc.) between a client and a supplier (vendor, service provider; vendor tracker, local services, communication center, marketplace, auction, booking, RFP; see reference A: Pages 8-10; see reference B, Page 3; see reference C: Paragraph 2, Page 1).

Regarding Claim 9 Event4.11.com teaches an online event planning and management system further comprising a community module to facilitation communications between clients via the communication network (guest manager, communications center, post messages (bulletin board), e-mail, etc.; see reference A: Pages 8-10; see reference B, Paragraphs 5-6, Page 2; Page 3; see reference C: Paragraphs 5 and 7, Page 2).

Regarding Claim 10 Event4.11.com teaches an online event planning and management system further comprising a customization module to facilitate client preference profiles (information, data; user profiles, Application Service Provider (ASP), custom web sites, co-branded web sites and portals, etc.; see reference A: Paragraph 1, Page 3; Pages 7-10).

Regarding Claim 11 Event4.11.com teaches an online event planning and management system further comprising a service module to provide real-time

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communications via the communications network between the client and the meeting planning service provider (post messages (bulletin board), e-mail, custom web sites, communication center, web cast, etc.; see reference A: Pages 8-10).

Regarding Claim 12 Event4.11.com teaches an online (Internet) meeting planning and management system comprising (see reference A: pages 1, 2, 5, and 8-10; see reference B: Paragraphs 4-7; Page 2; Paragraph 1, Page 3; see reference C: Pages 1-3):

- a web server (Application Service Provider, custom web sites, web hosting);
- a request generator for collecting meeting information;
- a database for storing the meeting information;
- at least one application server having (Application Service Provider):
 - a meeting management module for analyzing the collected information and executing arrangements for the meeting based on the analysis;
 - a research module for generation of industry and meeting information;
 - a reporting module;
 - an event module for managing events related to the prospective meeting;
 - an attendee module for managing attendee logistics;
 - a marketplace module to facilitate communication between clients;
 - a customization module to facilitate client preference profiles (see reference A, Page 7); and

- a service module for real-time communication between the client and meeting planning services provider.

Regarding Claim 13 Event4.11.com teaches an online event planning and management system further comprising secure access (login system) and client-specific accounts (see reference B: Paragraphs 4-7; Page 2; Paragraph 1, Page 3).

Regarding Claim 14 Event4.11.com teaches an online event (meeting, trade show, conference, etc.) planning and management system for providing event planning and management services via a communication network further comprising (see reference A: Pages 1, 2, 5, and 8-10; see reference B: Paragraphs 4-7; Page 2; Paragraph 1, Page 3; see reference C: Pages 1-3):

- a client interface;
- collecting and storing meeting information;
- analyzing meeting information; and
- scheduling a meeting according to the client preferences and meeting criteria.

Regarding Claim 15 Event4.11.com teaches an online event planning and management system client-specific accounts (custom web sites, co-branded web sites and portals, Application Service Provider (ASP), etc.; see reference A: Pages 2-3 and 7; see reference B: Paragraphs 4-7; Page 2).

Regarding Claim 16 Event4.11.com teaches an online event planning and management system further comprising the step of conducting online research (search, local services, RFP, marketplace, etc.) based on client supplied criteria and producing the results of the research (see reference A: Pages 8-10 and 16-18; see reference B: Paragraphs 4-7, Page 2; see reference C: Paragraph 7, Page 2).

Regarding Claim 17 Event4.11.com teaches an online event planning and management system further comprising the step of generating multiple reports (reporting, data center, monitor RSVP, status, etc.; see reference B: Paragraphs 4-6, Page 2; see reference C: Paragraph 2, Page 1; Paragraph 2, Page 2).

Regarding Claim 18 Event4.11.com teaches an online event planning and management system further comprising a project management tool to facilitate management of details related to at least one of the following: travel arrangements, events and activities (to do list, event planner, vendor tracker, budget tracker, master schedule, etc.; see reference A: Pages 8-10).

Regarding Claim 19 Event4.11.com teaches an online event planning and management system further comprising an interactive online communication tool (post messages (bulletin board), e-mail, custom web sites, communication center, web cast, etc.; see reference A: Pages 8-10).

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Regarding Claim 20 Event4.11.com teaches an online event planning and management system providing a transaction forum (marketplace, shop, community, merchandising, RFP, auction, etc.; see reference A: Pages 1-3 and 7-10; see reference B: Paragraphs 4-7; Page 2; Paragraph 1, Page 3; see reference C: Pages 1-3).

Examiner Note

Examiner has cited particular sections, pages, and paragraphs or figures in the references applied to the claims for the convenience of the applicant. Although the specific citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in their entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Bingham et al., U.S. Patent No. 6,324,517, teach an online comprehensive meeting planning and management system and method further comprising a marketplace, database storage means, customization (profiles) and a plurality of servers.

- Strick et al., U.S. Patent No. 6,732,103, teach an online meeting planning and management (event scheduling) system further comprising a reporting module and questionnaires (surveys).

- Breitenbach et al., U.S. Patent Publication No. 2002/0016729, teach a comprehensive online meeting planning and management (event-based scheduling) system further comprising a database, plurality of servers, marketplace, reporting,

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logistics, calendaring, order management, service delivery, real-time tracking and monitoring as well as research capabilities.

- Nguyen et al., U.S. Patent Publication No. 2005/0033615, teach a comprehensive online meeting planning and management system and method further comprising surveys, customization, reporting and security capabilities.

- EventSource.com - About and BoookIt! web pages teaches a commercially available meeting planning and management system further comprising research tools and marketplace services (RFP).

- Fox, Doug, PlanSoft: Is it the Real Thing? teaches a commercially available online meeting planning and management system (Ajenis by PlanSoft). Fox further teaches that the Ajenis product was being readied in 1997 to power the online PlanSoft Network.

- Krause, Carla, Paperless Meeting Management Draws Closer to Reality, teaches an online meeting planning and management system (meeting exchange) powered by PlanSoft's Ajenis product further comprising a marketplace, research tools and industry news.

- Ball, Corbin, Meeting Planning Software - Making Your Job Easier, teaches a plurality of commercially available meeting planning and management systems including but not limited to PlanSoft and EventSource.

- StarCite Announces Key Management team Additions to Drive Its B2B E-Commerce "Meeting Marketplace", teaches the commercial availability of an online meeting management and planning system ("Meeting Marketplace").

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- Kadlec, Cynthia et al., SM's Ultimate Guide Web Sites with Planner Power, teaches a plurality of meeting planning and management systems including but not limited to Event411.com, EventPlanner.com, AllMeetings.com, PlantSoft.com, SeeUThere.com, StarCite.com, EventSource.com and b-there.com.

- Constant, Cherisse, Planning made easy, teaches a plurality of meeting planning and management systems including but not limited to Ajenis from Plansoft.

- Reardon, Marguerite, Event Planner Offers Custom Sites, teaches an online meeting planning and management system (StarCite.com) further comprising customization, marketplace and community support (discussion groups) capabilities.

- StarCite.com - News/Events, teaches a comprehensive online meeting planning and management system further comprising customization, marketplace, research support, calendaring and cost-tracking.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (703) 306-5679. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SJ
3/8/2005



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